

THE COMMISSION OF FINE ARTS

ESTABLISHED • BY • CONGRESS • MAY • 17, 1910

708 JACKSON PLACE, N.W.

WASHINGTON, D.C. 20006

202-566-1066

MEETING OF THE COMMISSION OF FINE ARTS

23 February 1989

AM 10:00 CONVENE, 708 Jackson Place, N. W., Washington, D. C.

I. ADMINISTRATION

- A. Approval of 12 January 1989 minutes.
- B. Dates of next meetings:
 - 22 March 1989 (Wednesday)
 - 20 April 1989 (Thursday)
- C. Lighting Inspection on 22 February; report.
- D. Rock Creek Drive Development; report.

II. SUBMISSIONS AND REVIEWS

- A. Department of the Treasury, U. S. Mint
 - CFA 23 FEB/89-1; Commemorative coins for the Bicentennial of the Congress. Designs.
- B. General Services Administration
 - 1. CFA 23/FEB/89-2; Forrestal Building, 10th and Independence Avenue, S. W. Reconstruction of the Plaza and additional landscape elements. Preliminary studies.
 - 2. CFA 23/FEB/89-3; Southeast Federal Center, Building 213, 1st and M Streets, S. E. Further study of proposed cornice. (CFA 15/DEC/88-3, CFA 27/OCT/88-5)
 - 3. CFA 23/FEB/89-4; Central Heating Plant, 12th and C Streets, S. W. Rescreening of rooftop mechanical equipment. New design.

II. SUBMISSIONS AND REVIEWS continued, 23 February 1989

B. National Park Service, National Capital Region

1. CFA 23/FEB/89-5; Kahlil Gibran Memorial, Massachusetts Avenue, N. W., Reserve 514, joining the Normanstone Parkway. Preliminary design for new memorial. (CFA 23/JUL/87-2)
2. CFA 23/FEB/89-6; Federal Reserve Board Building, Virginia Avenue between 20th and 21st Streets, N. W. Placement of sculpture.

C. District of Columbia Government, Office of the Mayor

CFA 23/FEB/89-7; Law Enforcement Heroes Memorial, Judiciary Square, 400 block of E Street, N. W. Further studies of design. (CFA 12 JAN/89-3, CFA 27/OCT/88-1)

D. District of Columbia Government, Department of Consumer and Regulatory Affairs

1. Old Georgetown Act

- a. O.G. 89-57, 1677 Wisconsin Avenue, N. W. Window storefront alterations to residential building used as antique shop. Permit. (O.G. 88-224, CFA 27/OCT/88)
- b. Appendix I.

2. Shipstead-Luce Act

- a. S.L. 89-51, Warner Theatre, E Street between 12th and 13th Streets, N. W. New commercial office and retail complex. Conceptual design.
- b. Appendix II.

II. SUBMISSIONS AND REVIEWS continued, 23 February 1989

E. Department of Justice

CFA 23/FEB/89-8; Main Justice Building, 10th Street & Constitution Avenue, N. W. Design for exterior security system.

F. National Park Service

CFA 23/FEB/89-9; Introduction of bollards on E Street, north of the Ellipse.

23 February 1989

Appendix I

OLD GEORGETOWN SUBMISSIONS

<u>NO.</u>	<u>ADDRESS AND OWNER</u>	<u>PROJECT</u>
O.G. 89-58	1634 32nd Street, N.W. Conceptics Residence	Rear addition & alterations - permit

ACTION: No objection to issuance of permit for proposed addition as shown in supplemental working drawings received and dated 31 January 1989. Recommend scheme omitting parapet at side wall of addition. Scheme conforms to previous concept approval (O.G. 88-173).

O.G. 89-69	1029 31st Street, N.W. Helen Hoenig Commercial	Two story rear addition - conceptual
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ACTION: Recommend against concept of proposed addition to small, residential-scaled building. The existing structure is one of a row of nearly identical properties built as residences having rear gardens large enough to contain major trees. The proposed addition would infill most of the site, requiring the removal of existing large trees and eliminating the potential of a major tree canopy in the future. The tree canopy acts as a visual buffer between these small scale structures and the tall commercial buildings to the east within the block and, therefore, is important to the maintenance of the character of the historic district.

O.G. 89-61	3029 Dent Place, N.W. Marc Michault Residence	Rear addition of glass structure - permit
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ACTION: No objection to issuance of permit for proposed alteration and addition as shown in drawings received and dated 11 January 1989 which conform to the previously approved concept design (O.G. 89-250).

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Appendix I

<u>NO.</u>	<u>ADDRESS AND OWNER</u>	<u>PROJECT</u>
O.G. 89-65	1264 Wisconsin Avenue, N.W. Mrs. William Martin Martin's Tavern	Enclosed sidewalk cafe - permit

ACTION: Returned without Action; case was withdrawn by written request of the applicant. Request new submission when ready.

O.G. 88-195	3416 P Street, N.W. James McGuiral Residence	Installation of garage doors - permit
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ACTION: No objection to issuance of permit for proposed garage doors as shown in supplemental drawings. Recommend painting metal doors.

O.G. 89-40	3111 M Street, N.W. 1st Washington Management Sam Goody	Back-lighted sign - permit
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ACTION: Recommend against issuance of permit for proposed existing sign. Size of letters violates District Sign Code and size together with back-lighting does not conform to sign uniformity established for this building in previous cases (See O.G. 84-08). Request new submission.

O.G. 89-62	3269 M Street, N.W. 1st Washington Management Players of Georgetown	Flag on existing flagpole - permit
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ACTION: Recommend against issuance of permit for proposed commercial banner. Note is made that existing signs are in excess of allowable square footage.

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Appendix I

<u>NO.</u>	<u>ADDRESS AND OWNER</u>	<u>PROJECT</u>
O.G. 89-59	1057 Thom. Jefferson Street, N.W. Rachid Benkirane Commercial	Wood sign (existing) - permit

ACTION: Recommend against issuance of permit for existing wood sign which covers entire window opening. Further recommend removal of remaining existing signs which list services and block adjacent windows. In addition, the Commission objects to the apparent replacement of the original double-hung windows with single sheets of glass, an existing condition neither reviewed nor approved by the Commission.

O.G. 89-63	1514 Wisconsin Avenue, N.W. Mannix Smith Associates The Phoenix Shop	Awning (existing) - permit
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ACTION: No objection to issuance of permit for existing awnings and signs.

O.G. 89-72	1409 31st Street, N.W. Charles and Benita Berman Residence	Gate - permit
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ACTION: No objection to issuance of permit for proposed iron gate.

O.G. 89-05	3287 1/2 M Street, N.W. Naswood Partnership Thai Taste Restaurant	Awning (existing) - permit
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ACTION: Recommend against issuance of permit for existing awning. Recommend collaboration of merchants on unified awning design for all stores within this building.

23 February 1989

Appendix I

<u>NO.</u>	<u>ADDRESS AND OWNER</u>	<u>PROJECT</u>
O.G. 89-13	3277 M Street, N.W. Sami Chway Fettosh Express Restaurant	Awning (existing) - permit

ACTION: Recommend against issuance of permit for existing awning. Recommend colaboration of merchants on unified awning design for all stores within this building.

O.G. 89-70	3033 M Street, N.W. Pardis Restaurant	New awning & storefront alteration - permit
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ACTION: No objection to issuance of permit for proposed alteration to existing storefront and new awning. Submission complies with previously approved action. (See O.G. 88-257).

O.G. 89-64	3336 Prospect Street, N.W. Stanton Burnett Residence	Fence - permit
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ACTION: No objection to issuance of permit for proposed replacement of wood fence and repair of existing chain link fence.

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Appendix II

SHIPSTEAD-LUCE SUBMISSIONS

<u>NO.</u>	<u>ADDRESS AND OWNER</u>	<u>PROJECT</u>
S.L. 89-42	2323 Porter Street, N.W. Larry Li Residences	New buildings - conceptual

ACTION: Returned without Action; case was withdrawn by written request of the applicant. Request new submission when ready.

S.L. 89-45	221 Pennsylvania Avenue, S.E. Al Shuman Trover Shop	Rear addition - conceptual
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ACTION: No objection to concept of rear addition of 1 1/2 stories to existing commercial structure as shown in supplemental drawings received and dated 13 February 1989. Addition will not extend beyond line of the adjacent structures.

S.L. 89-46	418-420 New Jersey Avenue, S.E. Charles C. Parsons Residence	New building - conceptual
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ACTION: Returned without Action. Case was withdrawn by written request of the applicant. Request new submission when ready.

S.L. 89-48	2910-2980 Connecticut Ave., N.W. District In Town Ltd. Partnership Residential	New townhouses - conceptual
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ACTION: Returned without Action; case was withdrawn by written request of the applicant. Request new submission when ready.

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Appendix II

<u>NO</u>	<u>ADDRESS AND OWNER</u>	<u>PROJECT</u>
S.L. 89-49	2301 Calvert Street, N.W. Syracuse University Offices	Alteration to entrance for handicapped - permit

ACTION: No objection to issuance of permit for proposed alteration to existing entrance to accomodate a ramp for the handicapped.

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MEETING OF THE COMMISSION OF FINE ARTS

23 February 1989

The meeting was convened at 10 a.m. in the Commission of Fine Arts offices at 708 Jackson Place, N. W., Washington, D. C., after a tour of project sites.

Members present:

Hon. J. Carter Brown, Chairman
Hon. Neil H. Porterfield, Vice Chairman
Hon. Frederick E. Hart
Hon. Diane Wolf

Staff present:

Mr. Charles H. Atherton, Secretary
Mr. Donald B. Myer, Assistant Secretary
Mr. Jeffrey R. Carson
Mr. Jose Martinez-Canino

National Capital Planning Commission staff present:

Ms. Pam Johnson

Pennsylvania Avenue Development Corp. staff present:

Ms. Cathy Berlow

I. ADMINISTRATION

A. Minutes of 12 January 1989 minutes: approved, with Miss Wolf pointing out that she had attended the meeting, which had not been reflected in the draft she received. The final document included the names of all attendees.

B. Minutes of 12 January 1989 Executive Session minutes: discussed as a record of a meeting of the members only. Miss Wolf asked that the approval be delayed until she had an opportunity to recommend several changes. Mr. Porterfield moved that a one week extension be given Miss Wolf to allow her to circulate proposed changes to the other members present at the 12 January 1989 meeting.

C. Dates of next meetings approved as:

22 March 1989	(Wednesday)
20 April 1989	(Thursday)

D. Rock Creek Drive Development; report by the Secretary. Mr. Atherton told the Commission that subsequent to discussion at the December 1988 meeting agreeing to pursue the requirements of the Shipstead-Luce Act, and disapproval of the designs for the project (S.L. 89-34 through -40) in January, the Lands Division of the Department of Justice had obtained a restraining order to stop construction pending resolution of the design and jurisdictional problems. Because the applicant and the District of Columbia Government had failed to comply with the Commission's action of 12 January 1989, the Justice Department had initiated a suit. Miss Wolf said that the first she heard of the suit was reading about it in the paper and that she felt in future situations it would be wise to inform all Commission members of any such pending action. The Chairman concurred, and explained the emergency timeframe in this instance. Miss Wolf made a motion, seconded by Mr. Porterfield, that in the future, if lawsuits are to be brought against parties on behalf of the Commission, the members be informed, and that they respond in twenty-four hours. The motion was carried without objection. Mr. Hart commended the staff and the Justice Department for their prompt action. The Secretary reported that the Chairman and Vice Chairman had been kept informed, and that a trial date had not been set. He introduced Ms. Weiss of the Department of Justice, and asked that the record include copies of relevant documents, including the Temporary Restraining Order, (United States District Court, Civil Action No. 89-0364). The request was approved.

Exhibit A

II. SUBMISSIONS AND REVIEWS

A. Department of the Treasury, U. S. Mint

CFA 23 FEB/89-1; Commemorative coin designs for the Bicentennial of the Congress. The Secretary indicated that the Mint had held an invited compensated competition for the design of these coins and that six designs had been selected, pending approval by the Secretary of the Treasury. He introduced Mr. Essner of the Mint.

Mr. Essner said that a number of sources were consulted in getting a balanced group of artists to submit designs and that the Mint was pleased with the process. Miss Wolf asked that he review the history of the project which he briefly did and then passed the six selected designs around the table. These were for the obverse and reverse sides of the gold, silver and bronze coins. Mr. Essner described certain changes that were recommended during

the review at the congressional level. The Commission concurred with these suggestions and otherwise had no material objections to the six designs.

Mr. Hart complemented all who had been involved. The Chairman expressed appreciation for the quality of the coin designs to the extent one could tell from two-dimensional drawings. Miss Wolf felt that it would be desirable for the Commission members to view the plaster models even if there was not time to show them at a scheduled meeting. Though the timing would be difficult, Mr. Essner assured the Commission the plasters would be submitted if it were at all possible. Exhibit B

B. General Services Administration, National Capital Region

1. CFA 23/FEB/89-2; Forrestal Building, 10th and Independence Avenue, S. W. Reconstruction of the plaza and additional landscape elements. The Assistant Secretary showed drawings depicting the project area and stated that the Commission had toured the site earlier in the day. He introduced Mr. Frank Miles of GSA who said that the project included replacing a plaza which covered below-grade office space and was badly leaking and deteriorating. This provided for an opportunity to add landscape material and help upgrade the environment surrounding the Forrestal Building.

A new element to the composition was the Smithsonian Quadrangle project with Asian and African entrance pavilions and a restored Victorian garden on the Tenth Street axis between the Smithsonian Castle and Independence Avenue. Mr. Miles indicated that a number of consultants were present including Mr. Jean Paul Carlhian and Jan Heespelink of the Boston architectural firm of Shepley Bulfinch Richardson and Abbott; and Mr. Joseph Reid of the Washington firm of Kemnitzer Reid and Haffler who were accompanied by Mr. Dan Kiley, a landscape architect from Vermont.

Mr. Carlhian described how the paving would be replaced and upgraded, how there would be efforts to have new pedestrian entrances from Independence Avenue to the twin elevator cores flanking Tenth Street which passed under the midpoint of the building. He also talked of additional landscaping to enhance the entrances and to mitigate the length of the Forrestal Building which essentially spanned two city blocks. The idea of adding some elements of lattice to enhance the new pedestrian entrances would be another element of a composition which could tie across Independence Avenue to the Smithsonian Quadrangle complex.

Mr. Porterfield stated that the continuity of planning and tree planting on Independence Avenue was more important than any individual landscape statement. In discussing the street trees, it was noted that elms were the preferred species in the National Capital Planning Commission's Plan for Independence Avenue and should be given serious consideration over a totally different type of tree such as ginkgoes.

Mr. Hart took exception to the design of the twin lattice entrance element. The Chairman concurred that the style of their design was too elaborate and out of character with the architecture of the Forrestal Building. The possibility of restudying them to be more stylistically related to their context was discussed, with the Chairman saying that the Asian and African entrance pavilions had posed a similar problem because of the need for blending new designs with the Castle, the Arts and Industries Building and the Freer Gallery with their disparity of styles. He said that the same architects had solved the problem there and should try to do it with the Forrestal situation as well.

The Commission's response was generally favorable to the presentation and direction of study. They recommended additional study of the entrance features; also a strong recommendation was made to coordinate the work of the various consultants. Exhibit C

2. CFA 23/FEB/89-3; Southeast Federal Center, Building 213, 1st and M Streets, S. E. The Assistant Secretary presented drawings showing revised designs for the cornice areas of this renovation proposal. He described an earlier "mansard" scheme as well as a more recent flat cornice design. The Commission had found the flat cornice too abrupt, and had recommended modification. The present proposal had a canted cornice which softened the appearance of the building. After examining the response to previous comments, the Commission unanimously approved the project and expressed their appreciation to Ms. Judith Friedman, the GSA representative. Exhibit D

3. CFA 23/FEB/89-4; Central Heating Plant, 12th and C Streets, S. W. Rescreening of rooftop mechanical equipment. A design for this existing rooftop screen device was presented by Mr. Martinez with Ms. Andrea Mones O'Hara and Ms. Loretta Cullinane of the General Services Administration. The original panels had deteriorated and this was a plan for their replacement with a more permanent material. No increase in height or change in design was contemplated. The Commission gave the proposal unanimous approval, but asked to see an actual color sample of the material prior to proceeding with the work. Exhibit E

B. National Park Service, National Capital Region

1. CFA 23/FEB/89-5; Kahlil Gibran Memorial, Massachusetts Avenue, N. W., Reservation 514, joining the Normanstone Parkway. The preliminary design for a new memorial was introduced by landscape architect, Ms. Marianne Lasch, Mr. Porterfield recused himself from voting on the project because of his former involvement with the architects, HOK.

The memorial is being designed as a contemplative park to complement the wooded parkland and create a sense of shelter from adjacent Massachusetts Avenue. An outer still-water feature will be connected to an inner circular element with a fountain and middle-eastern paving designs. Ms. Lasch said the design was intended to stress the spiritual aspects of Gibran's work. The Chairman admired the restraint and poetry of the design and hoped that the small bridge leading into the memorial from the public sidewalk could be constructed without the use of any side railings. Miss Wolf said that she was concerned about the two water elements being too much the same, but was assured that this was not the intent. With these comments the Commission unanimously approved the design. Exhibit F

2. CFA 23/FEB/89-6, Federal Reserve Board Building, Virginia Avenue between 20th and 21st Streets, N. W. Temporary placement of sculpture. Mr. John Parsons, National Park Service, indicated that the sculpture would be part of a continuing program established a number of years ago and the Park Service had no objection to continuing such installations. Ms. Mary Ann Goley, director of the Federal Reserve's art program, described the approximate location and said that the size was fourteen feet eight inches square and five feet high. The Chairman said that the sculptor, Sol Lewitt, had an excellent international reputation and Mr. Hart commended the choice. The approval was unanimous. Exhibit G

C. District of Columbia, Office of the Mayor

CFA 23/FEB/89-7; Law Enforcement Heroes Memorial, Judiciary Square, 400 Block of E Street, N. W. Mr. Carson oriented the members and indicated that they had reviewed the design twice before and that present revisions included suggestions made in October 1988 and January 1989. He then introduced Mr. Craig Fuller, representing the memorial association, and the architect, Mr. Davis Buckley. There was some general discussion about the history of the design process with Mr. Buckley showing a scheme which had the sculptural grouping pulled away from the escalator entrance parapet and two actual and two simulated elevator structures spaced around the center of the square. Mr. Buckley showed landscape plans for the area surrounding the memorial, which had been prepared at the request of the National Capital Planning Commission.



KAHLIL GIBRAN MEMORIAL

CFA 23 February 89-5
Proposed Kahlil Gibran Memorial
Massachusetts Avenue

Mr. Hart said that the east-west cross axis proposed as part of the design was of secondary importance and need not be a major design feature. He also suggested that the use of four elevator-type kiosks had been a worthy exploration, but might not totally resolve the problem. The Chairman then suggested that a trellis structure could be a central element and that it could subsume the elevator structures into a unified entity with planting. A pergola such as the structure planned for the Key Memorial would be worth studying. Though the Commission appreciated the efforts made to date, they did not give a final approval of the design, pending further study. The members reiterated their support for trying to integrate the sculptural element with the subway escalator parapet, in view of the important axial large-scale presence of that element. There was further discussion and the members questioned the propriety of exhibiting names of officers killed in the line of duty since only 1960. Messrs. Buckley and Fuller explained the practical reasoning behind that part of the Memorial program, but seemed to be receptive to considering the possibility of write-in additions pre-1960. No final Commission action was taken. Exhibit H

D. District of Columbia Government, Department of Consumer and Regulatory Affairs

1. Old Georgetown Act

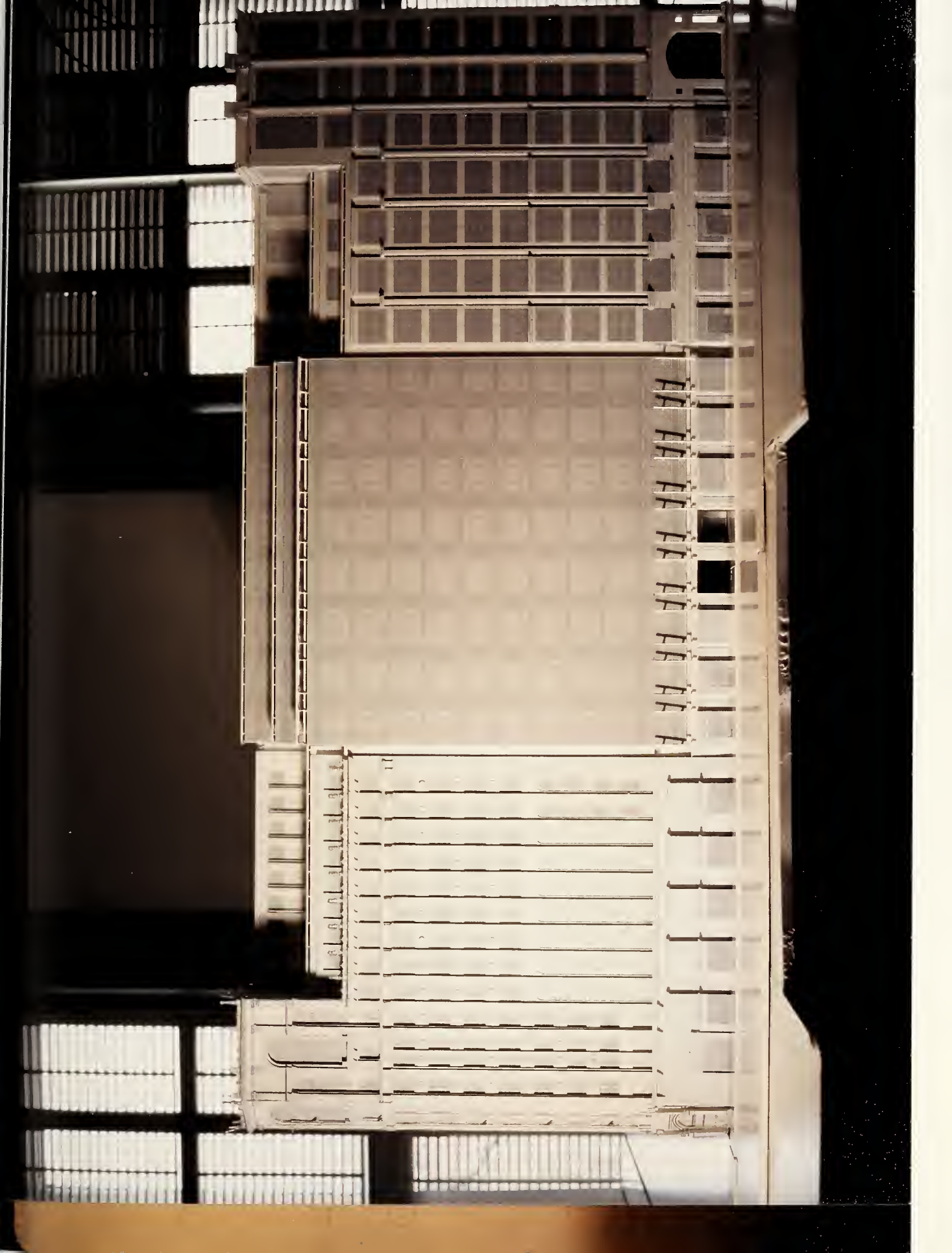
a. O.G. 89-57; 1677 Wisconsin Avenue, N. W. Show window alterations for existing building. Mr. Martinez said that the Georgetown Board had recommended against this proposal because the building had been restored to its present character only after much effort. They were against the proposal which would eliminate the residential character which had been so carefully achieved. The proposal included two alternate large show window designs which would serve the antique shop on the premises. He noted that the Board and the Commission had met with the applicant in October 1988 and recommended against a proposed bay window. He noted that the applicant had been present at the Board meeting and had requested an opportunity to appeal the negative recommendation to the full Commission. The applicant had not appeared, however. Mr. Courts Oulahan then asked to make a statement on behalf of an adjacent property owner which addressed other aspects of work on this site, but not the subject of the show window. Mrs. Alicia Boyd made a statement on behalf of the Foundation for the Preservation of Historic Georgetown questioning aspects of the Commission's previous actions regarding other projects on the site, but had no comment on the show window. The Commission unanimously affirmed the board's recommendation against issuing a permit for this window change. Exhibit I

b. Appendix I was approved with discussion of O.G. 89-40, a proposed sign permit for an existing sign on M Street. Ms. Christy Whalen represented the applicant, the Sam Goody music store, saying that they hoped the Commission would overturn the Boards ruling against their existing sign on the basis of the lettering being too large. The Commission would not, and confirmed the recommendation against a permit.

2. Shipstead-Luce Act

a. S.L. 89-51, Warner Theatre, E Street between 12th and 13th Streets, N. W. Mr. Carson presented plans and models for a renovation of the Warner Theatre Building and new construction fronting E Street and filling the remainder of the block from the Theatre Building to 12th Street, N. W. He indicated that this was a concept review of a new proposal, noting that the Commission had reviewed an earlier proposal for renovation and addition to the Warner Theatre Building. The new proposal included an additional lot on the corner of E and 12th presently occupied by a predominantly masonry-clad office building. The middle of the block between it and the Warner Building would be treated as a mirrored glass building using the same modules of facade subdivision as proposed for the new corner building. The new development would be given the effect of three separate buildings in the interest of breaking down the scale of the project.

Mr. Byrne Murphy with the Kaempfer Company, the developers, briefly explained that the project had been increased in size and that a better theatre facility was planned. He then introduced Mr. Steve Wood of I. M. Pei and Associates and Mr. Shalom Baranes of Shalom Baranes and Associates, the joint architects of the project. The Pei group was principally involved in new construction; the Baranes group was involved in the renovation of the Warner Theatre and the Warner Building. Mr. Woods said that the composition of facades was designed to break up the scale so as not to overwhelm the Warner Theatre Building. He also described how the design continued the horizontal lines from the Warner through the facades of the new construction. There was some general discussion with the members who were curious about the various surface materials which included the substantial use of mirrored glass. The presentation included the examination of a very large project model which was constructed to give a realistic street level view of the architecture. After seeing the model, Miss Wolf said that she did not like the quality of glass in the middle facade and was concerned about the use of mirrored panels. Mr. Hart disagreed and indicated that he liked the freshness of the treatment. The Chairman suggested some additional



S.L. 89-51

Warner Theatre renovation & Addition
12th, 13th and E Streets, N.W.



S.L. 89-51
Warner Theatre Renovation & Addition
12th, 13th and E Streets, N.W.

examination of the detailing and materials. The example of the Washington Design Center was mentioned because of its similar use of materials. He also suggested differentiating the tower expression at the corner of 12th and E Streets to avoid the appearance of too pat a symmetry with the corner tower of the Warner Building.

Mr. Baranes said that the theatre would be restored with little visible change, but better backstage facilities for live theatre, as opposed to the theatre's original use as a movie house. The Chairman asked if there would be any change to the marquee and Mr. Baranes said that it was under study. The Chairman said that the marquee seemed a little less impressive than it should be and that it had the opportunity to help contribute to a sense of a theatre district. Mr. Wood added that there were efforts being made to incorporate lively commercial and retail uses on the ground floor of the project to add festivity. With the request for some further discussion of the facade treatment the project was approved unanimously. Exhibit I

b. Appendix II, approved.

E. Department of Justice

CFA 23 FEB/89-8; Main Justice Building, 10th Street and Constitution Avenue, N. W. Design for exterior security system. Mr. Carson presented photographs and drawings showing the placement of masonry planters in front of the entrances of this monumental Federal Triangle Building. They would be spaced to allow pedestrian passage but prevent unauthorized vehicular entrance. Additionally there would be mechanical bollards which would rise to prevent vehicular entry in the garage and service ramps and courtyard entry points. Ms. Andrea Mones-O'Hara from GSA and Mr. Ridel from the Justice Department were present to answer any questions.

Mr. Ridel indicated that the planters would be placed on the sidewalks and were of a size and arrangement dictated by security requirements. The bollards would only be raised in the event of an emergency. Otherwise they would be retracted below the paved surface. The Commission approved the installation, with Mr. Hart adding that these new features were the result of a need that tempered a judgement based solely on ideal aesthetic considerations. Exhibit J

F. National Park Service

CFA 23 FEB/89-9; introduction of bollards on E Street, north of the Ellipse. Mr. Martinez presented drawings and photographs, noting that the Commission had visited the site earlier in the day. He also pointed out that the Commission had reviewed the same type of scheme in 1986 for the bollards which

were in place north of the White House. The Park Service was presenting a plan for a bollard-and-chain scheme around the curve of E Street south of the White House and across the north/south axis between the White House and the Jefferson Memorial. There would be a pedestrian walk on this axis as the principal interruption in the chain. He introduced Mr. James McDaniel of the National Park Service who was with Park Service architect, Mr. Michael Summerlin, and Secret Service representative, Mr. Richard Solen.

Mr. McDaniel said that on 13 October 1992 the 200th anniversary of laying the White House cornerstone would be celebrated and that the river vista from the White House to the Potomac River had been a key element in the site and design. He made a point of saying that with the Commission's help the vista should be protected. He also talked about efforts to maintain high standards in the public spaces in the White House environs. The bollard plan would eliminate the present temporary New Jersey barriers to protect the periphery of the White House as has been required recently. He then introduced Mr. Summerlin who said that in their study of the design, it was concluded that the simplest solution of extending the bollard scheme seemed best to the Park Service staff and was satisfactory to the Secret Service.

There was some general discussion and explanation of the features of the design leading to a statement of the Chairman noting the difference between the urban north side and the picturesque garden environment of the south sides of the White House. He also spoke of the care which was given to protecting the vista and how Thomas Jefferson was responsible for two landscape mounds framing it from the White House grounds. Mr. Hart asked if the New Jersey barriers were adequate and could be kept as a visually simple and temporary solution. He was told that they did not provide adequate security. Mr. Summerlin said that an alternate that had been looked at included depressing the northern lane of E Street as it crossed the axis. The resulting retaining walls would provide the required barrier, but the crossing for pedestrians would be eliminated. The Chairman mentioned the eighteenth century use of "hahas" which were depressions in a lawn intended for keeping livestock out of the gardens of English estates. He felt that this type of depression was worth study and that depressing E Street would be a study that the Commission would like to examine further. Mr. McDaniel indicated that such devices on the grounds had been considered, but ruled out because of the historicity of the landscape design. He also indicated that any support for preparing a long-range in-depth study of the future needs of the entire White House precinct would be most welcome.

The consensus of the members was that continuing the bollard scheme across the south E Street center of the grounds was not acceptable and that additional study, perhaps with a depressed E Street would be in order. Mr. McDaniel asked if there was an objection to continuing the bollard scheme other than in the central axial area. Although not ideal, the consensus was that, if restricted to the sides, they could be considered a tolerable compromise.

Exhibit K

The meeting was adjourned at 1:30 p.m.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

EXHIBIT A

UNITED STATES OF AMERICA,

Plaintiff,

v.

DISTRICT OF COLUMBIA, a
Municipal Corporation
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

WOODLAND LIMITED PARTNERSHIP
3201 New Mexico Avenue, N.W.
Washington, D.C. 20016

LAWRENCE N. BRANDT, INC.
3201 New Mexico Avenue, N.W.
Washington, D.C. 20016

Defendants.

Civil Action No. _____

89- 0364

FILED

TEMPORARY RESTRAINING ORDER

The Court has considered plaintiff's motion for temporary restraining order pending the hearing and determination of plaintiff's motion for preliminary injunction herein, the declarations of Olivia P. Adler, Linda Sher, Charles H. Atherton, and Donald B. Myer, and the Complaint. On the basis of these pleadings and papers, it appears to the Court that plaintiff will suffer immediate and irreparable injury, loss, and damage in that the further construction in the District of Columbia at 2805 Normanstone Drive, N.W., 2815 Normanstone Drive, N.W., 2600 Rock Creek Drive, N.W., 2610 Rock Creek Drive, N.W., and 2620 Rock Creek Drive, N.W., would alter the status quo between plaintiff and defendants which would result in a further visual intrusion and other intrusion on Rock Creek Park of the Nation's Capital



before a hearing can be held on plaintiff's motion for a preliminary injunction and the Court is of the opinion that the temporary restraining order should be issued.

THEREFORE, IT IS ORDERED that:

1. Defendants Woodland Limited Partnership and Lawrence N. Brandt, Inc, their agents, employees, successors, attorneys and all persons in active concert and participation with them are enjoined and restrained from continuing construction at 2805 Normanstone Drive, N.W., 2815 Normanstone Drive, N.W., 2600 Rock Creek Drive, N.W., 2610 Rock Creek Drive, N.W., and 2620 Rock Creek Drive, N.W., pending a hearing and determination of plaintiff's motion for a preliminary injunction.

^{SSH} 2. Plaintiff's motion for a preliminary injunction ^{scheduled} will be heard by this Court at ~~at~~ promptly ^{SSH} ~~o'clock on~~ , 1989.

3. The temporary restraining order issued herein will expire on February 20, 1989, unless within such time the order is extended for good cause shown or unless defendant consents to an extension.

4. A copy of this order shall be immediately served by the United States Marshal on the defendant.

Dated: February 10, 1989

Stanley S. Harris
United States District Judge

The following attorneys are entitled to notice of this
order:

CHRISTOPHER COLLINS, Esquire
Attorney for Lawrence N. Brandt, Inc. and
Woodland Limited Partnership
Wilkes, Artis, Hedrick and Lane
1666 K Street, N.W., Suite 1100
Washington, D.C. 20006-2866

FREDRICK D. COOK, Esquire
ERIC WASHINGTON, Esquire
Corporation Counsel
District of Columbia
1350 Pennsylvania Avenue, N.W.
Room 329
Washington, D.C. 20004

PATRICIA L. WEISS, Esquire
Attorney for Plaintiff
Land and Natural Resources Division
Department of Justice
601 Pennsylvania Avenue, N.W., Room 829
Washington, D.C. 20004

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

Plaintiff,

v.

Civil Action No. _____

DISTRICT OF COLUMBIA, ET AL.

Defendants.

DECLARATION OF CHARLES H. ATHERTON

I, Charles H. Atherton, under penalty of perjury declare:

1. I am the Secretary of the Commission of Fine Arts, a federal agency involved with design issues affecting the development of Washington. I have held this position for the last twenty-five years. In my capacity as chief executive officer of the Commission, one of my responsibilities is the administration of the Shipstead-Luce Act, a federal law enacted by Congress in 1930 for the protection of the public interest vested in certain national lands such as the Mall and Rock Creek Park from encroachment by inappropriate development. I offer this affidavit in support of the United States' Motion for a Temporary Restraining Order in the above-captioned case. I am competent to testify to the statements contained herein and have never been convicted of a felony. Furthermore, the information contained herein is based on my personal knowledge, and I believe the statements to be true and accurate.

2. The Commission staff was first aware of the development on Rock Creek Drive on 12 October 1988 when two calls were received -

one from Larry Aurbach, a nearby resident, who described the clearing of the large site and beginnings of a construction project on the Rock Creek Drive property; the other from Michelle Gillam, from the D. C. Permit Office, who asked a staff member of the Commission about its jurisdiction on the site. She was advised that at least the portion of the site abutting Rock Creek Drive would be under CFA jurisdiction. Following the receipt of this information the staff visited the site and subsequently confirmed with the D. C. Permit Office that the site properties on Rock Creek Drive and Normanstone Drive were in CFA territory, and that plans should be submitted to the Commission for review. Copies of the permits have been obtained from the District of Columbia and are attached as Exhibits A-1 - A-7. The builder shown on the permits is an experienced and sophisticated builder.

3. On 8 November 1988, Robert Brandt, one of the developers, called to say he would be willing to bring in the drawings and show them to the staff. This meeting occurred on 10 November and was the first time the staff was aware of the magnitude of the development, i.e. that it involved construction of seven new houses on a lot previously occupied by one. Mr. Brandt was advised that this project should be submitted to the Commission.

4. On 15 December 1988, the Commission met in its regular monthly session and was advised by staff of the situation; that the project was clearly in CFA jurisdiction, that it had not been submitted, and that the site was cleared of trees and the construction of two houses was well under way. The staff also reported that a formal

request had been sent to the District on 9 December asking that this project be officially submitted to the Commission for review at its next meeting scheduled for 12 January 1989. The developers were present at this meeting but did not comment. The permit drawings and the official letter from the District government transmitting them were subsequently received by the Commission on 28 December 1988. A transcript of this meeting and the Commission's 9 December letter to the District is attached: Exhibits A-8 & B.

5. On the morning of 12 January, members of the Commission first visited the development site, noting the total removal of all landscape material, the well-advanced construction of the two houses, and the proximity of the development to Rock Creek Park. Later that morning in its public meeting, the Commission discussed the project with the developers. The drawings showed 7 houses, 7 swimming pools, driveways, walks, patios, and large retaining walls; and little vegetation. The plans were in stark contrast to the neighboring lots and to the Park. It was concluded by the Commission that the site was being overdeveloped, and that such development would irreparably impair the public enjoyment of that part of the Park. The developer was asked to bring in revised plans for review at the Commission's February meeting to see if changes could be made that would mitigate the project's impact on the park. In the meantime, the developer also was advised to stop construction on all work other than completion of the two houses then under way. A written report confirming this action was

transmitted to the District Government on 25 January 1989. A transcript of this meeting and the letter reporting the Commission's action is attached: Exhibits C & D.

6. Since 12 October 1988 the Commission staff has had many contacts with representatives of the D. C. Permit Office. During this period a question arose regarding the Commission's first knowledge of this project which was filed with the Permit Office on 8 June and for which permits were issued on 11 August. The possibility was raised that the CFA staff was contacted in June and that a member of the staff stated the site was not under CFA jurisdiction. I have personally reviewed all of the staff's telephone logs which are kept in spiral notebooks and have found no record of any call on this subject prior to 12 October.

8. A further search of the Commission's Shipstead-Luce records indicates that a number of cases have been submitted to the Commission by the District of Columbia Government for properties in the vicinity of the Brandt development, including a 1965 proposal for the Brandt Development site in Square 2140 (listed as 2800 Woodland Drive, N. W.), and a house in Square 2199 (listed as 2510 Rock Creek Drive, N. W.) which also happens to be Mr. Brandt's own dwelling which he constructed in 1972. A complete listing of cases is attached hereto: Exhibit E.

10. On the morning of 8 February 1989 the D. C. Permit Office was called by CFA staff to check their files on Shipstead-Luce jurisdiction on the Brandt Development site, Square 2140, and on adjoining Squares. Their files, which consist of cards listing

such properties by Squares, show that Square 2198, 2199, 2140 (site of the Brandt Development) and Square 2200 are all subject to CFA review. However, the card for Square 2140 is new and indicates CFA review is required as of January 1989. Square 2140 is situated midway between Squares 2199 and 2200, and has the same physical relationship to Rock Creek Park as do the other two Squares.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on February 10, 1989

A handwritten signature in dark ink, appearing to read "Charles H. Atherton", written over a horizontal line.

Charles H. Atherton

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA

Plaintiff,

v.

DISTRICT OF COLUMBIA, ET AL.

Defendants.

Civil Action No. _____

DECLARATION OF DONALD BECKMAN MYER

Donald Beckman Myer, under penalty of perjury,

declares:

1. I am the Assistant Secretary for the Commission of Fine Arts. I offer this affidavit in support of the United States' Motion for a Temporary Restraining Order in the above-captioned case. I am competent to testify to the statements contained herein and have never been convicted of a felony. Furthermore, the information contained herein is based on my personal knowledge, and I believe the statements to be true and accurate.

2. Yesterday, February 9, 1969, I attended a meeting with Lawrence N. Brandt, developer for property on Rock Creek Drive, in an effort to settle the matters raised in this lawsuit. At the meeting, Mr. Brandt confirmed that he had agreed that, in exchange for our attending a meeting to settle these matters, no construction activity would take place today on the Shipstead-

9/10/69
107289

Luce sites on Rock Creek Drive and Normanstone Drive in Northwest Washington.

3. This morning 8:00 a.m., I drove by the construction site. I observed a great deal of construction activity. A number of dump trucks were lined up and being loaded with earth. There were 3 or 4 pieces of earth-moving equipment. The construction site was swarming with work persons. I observed the placing of reinforcing steel for foundation construction. *HPM*

4. The activity I observed was a violation ^{of the agreement} that the Commission staff had with Mr. Brandt that no activity would occur today except for the delivery of materials and certain necessary street repairs.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on February 10, 1989


Donald Beekman Ayer

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA)

Plaintiff,)

v.)

Civil Action No. _____

DISTRICT OF COLUMBIA, ET AL.)

Defendants.)

DECLARATION OF OLIVIA PJ. ADLER

OLIVIA P. ADLER, under penalty of perjury, declares:

1. I reside at 2815 Woodland Drive, N.W., Washington, D.C. Our house is diagonally across the street from the construction presently occurring on Square 2140 lots 37, 38, 41, 42, 43, 44, and 45, which I will collectively refer to as the "Rock Creek Drive Development." I offer this affidavit in support of the United States' Motion for a Temporary Restraining Order in the above-captioned case. I am competent to testify to the statements contained herein and have never been convicted of a felony. Furthermore, the information contained herein is based on my personal knowledge, and I believe the statements to be true and accurate.

2. I learned several weeks ago that the Fine Arts Commission held a hearing in January to review the plans for the construction at the Rock Creek Drive Development. Prior to that time, I noticed that most of the construction activity at the Rock Creek Drive Development was occurring on the two

houses facing Woodland Drive. One house was moving along fairly quickly and a second was being built at a more leisurely pace. I noticed no signs that work was occurring on other proposed houses facing Rock Creek Drive or Normandstone Drive, and there seemed to be no work on the foundations for those houses and no additional landclearing on those lots. Prior to commencing work on the original two houses facing Woodland Drive, the developer had stripped the entire property of trees but had not altered the basic terrain of the lots, which were considerably elevated above the street level both on the Rock Creek Drive and the Normanstone Drive sides of the properties.

3. Immediately after the Fine Arts Commission hearing, lines of trucks began forming daily at 6:45 A.M. and an enormous earth removal effort commenced. The work has commenced at full pace even on Saturdays and Sundays. In addition to flattening out the previously elevated landscape, the activity has involved drilling through the adjoining streets in two places --probably for sewer access -- and digging deep ditches in several places on the property. It appears that foundations for additional houses are now being dug.

3. While work has continued on the original two houses, facing Woodland Drive, the major effort of activity has been redirected to the sites facing Rock Creek Drive and Normanstone Drive.

4. The proposed development is radically different from the surrounding neighborhood, which is characterized by single family homes which are highly individual in style and are on medium to very large lots with mature landscaping, much of it quite wooded. The proposed development is also radically different from Rock Creek Park. The neighborhood is uniquely park-like with winding streets, sprawling wooded areas, and hilly terrain. On the Rock Creek Drive Development, the contractor has cleared away all the trees, flattened the hilly terrain, and is planning to jam 7 houses into a space which formerly held one house.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on February _____, 1989

Olivia P. Adler

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA)

Plaintiff,)

v.)

Civil Action No. _____

DISTRICT OF COLUMBIA, ET AL.)

Defendants.)

DECLARATION OF LINDA SHER

Linda Sher, under penalty of perjury, declares:

1. I reside at 2810 McGill Terrace, N.W. The rear of my house faces Woodland Drive and is directly across the street from the construction presently occurring on Square 2140 lots 37, 38, 41, 42, 43, 44, and 45, which I will collectively refer to as the "Rock Creek Drive Development." I offer this affidavit in support of the United States' Motion for a Temporary Restraining Order in the above-captioned case. I am competent to testify to the statements contained herein and have never been convicted of a felony. Furthermore, the information contained herein is based on my personal knowledge, and I believe the statements to be true and accurate.

2. My house is elevated at the back and I am able to look out over the Rock Creek Drive Development from most of the

rooms in which I spend most of my time in my house. These include the bedroom, den, study, kitchen, breakfast room and dining room.

3. The Fine Arts Commission held a hearing on January 12, 1989 on the Rock Creek Drive Development, which I attended and which the developer for the Rock Creek Drive Development also attended. At the meeting, the Commission voted not to approve the plans for development as submitted by the developer, and the developer was advised to stop work until the matter could be resolved.

4. Prior to the January 12 meeting, it appeared that almost all of the work on the site was on the two houses facing Woodland Drive.

5. After the January 12 meeting, I noticed a number of dramatic changes in the construction activity at the site. It appeared that greatly increased efforts were directed to grading and removing earth from the parts of the site where little work had occurred. On many mornings since January 12, 1989, when I arose at 6:30 A.M., I would see many dump trucks lined up waiting to be filled with dirt and, as soon as filled, depart the project. A number of earth moving vehicles were engaged in that effort. Since January 12, the terrain of the site has been changed dramatically. Particularly on the Rock

Creek Drive and Normanstone side of the site, and behind the two houses under construction, what had been substantially elevated terrain has been levelled. Since January 12, there has been a dramatic increase in week-end work. Work has proceeded even during inclement weather.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on February _____, 1989

Linda Sher

THE COMMISSION OF FINE ARTS

ESTABLISHED • BY • CONGRESS • MAY • 17, 1910

708 JACKSON PLACE, N.W.
WASHINGTON, D.C. 20006

EXHIBIT B

202-566-1066

6 March 1989

Dear Mrs. Pope:

The Commission was glad to meet with Mr. Gene Essner of your office to review the selected designs for the commemorative coin series on the Bicentennial of the Congress at its meeting on 23 February 1989.

The six designs, one obverse and one reverse for each of three coins, are as follows:

Five Dollar Gold Obverse - By Mint Engraver John Mercanti.

Description: Dome of the Capitol.

Five Dollar Gold Reverse - By Mint Engraver John Mercanti.

Description: Eagle from Old Senate Chamber.

One Dollar Silver Obverse - By Artist William Woodward.

Description: Full figure "Freedom" atop Capitol dome.

One Dollar Silver Reverse - By Artist William Woodward.

Description: House mace.

Half Dollar Clad Obverse - By Artist Patricia L. Verani.

Description: Head of "Freedom" atop Capitol dome.

Half Dollar Clad Reverse - By Artist William Woodward.

Description: Full view of Capitol building.

During the course of the discussion, Mr. Essner described some suggested modifications that had grown out of the design review process with representatives of the House and Senate, including; (1) texturing the shield of the Five Dollar Gold Reverse to give the appearance of stars; (2) shortening the mace and enlarging the eagle and globe on the Silver Dollar Reverse and; (3) depicting the Capitol to reflect present day appearance on the Half Dollar Clad Reverse. The Commission concurs.

As is the usual practice the Commission would like to see the plaster maquettes before the dies are produced. Knowing of your tight production schedule, we will be happy to schedule a special

meeting on short notice if circumstances dictate. We feel this is an important part of the design review process and should not be omitted.

With renewed congratulations and best wishes.

Sincerely,



J. Carter Brown
Chairman

The Honorable
Donna Pope
Director
United States Mint
633 Third Street, N.W.
Washington, D.C. 20220

THE COMMISSION OF FINE ARTS

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708 JACKSON PLACE, N.W.
WASHINGTON, D.C. 20006

EXHIBIT C

202-566-1066
6 March 1989

Dear Mr. Christolini:

The Commission appreciated the opportunity at its meeting on 23 February 1989 to meet with your architects and representatives regarding the redesign and rehabilitation of the terraces around the Forrestal Building on Independence Avenue at 10th Street, S.W. It is encouraging to know that, in addition to the more practical aspects of the program, GSA is also focusing on the need to improve the appearance of the Forrestal Building, especially the landscaping and related environmental features along Independence Avenue, and has set aside funds specifically for this purpose.

It is this aspect of the project that is of particular interest to the Commission. As we all know, the overall effect of the Forrestal Building is overwhelming; its size, scale, and the vast empty spaces of the terraces add up to a very formidable appearance, and anything that can be done to relieve this situation will be most welcome.

Foremost of the architects proposals is the re-establishment of the curb line on Independence Avenue and the introduction of double rows of trees. This concept fits the masterplan for Independence Avenue and should go a long way toward offsetting the highly negative view of the empty terraces with their accompanying pilotis and exposed undersides of the structure.

Secondly, the foreground areas on both sides of 10th Street will be reconfigured to reflect a sense of entrance at the pedestrian scale. The monumentally long steps that form a plinth around the front of the building will be replaced at these points with a grassy area sloping up from the sidewalk to the terrace.

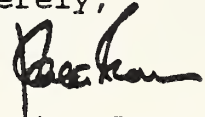
The most challenging new addition, however, would be the introduction of free-standing trellised portals that would serve as a light-structured and leafy frame around the principal pedestrian entrances. Their purpose would be to provide a much needed counterpoint to the severity of the facade, and by their proposed size and spacing, to echo the two pavilions in the Smithsonian Quadrangle across the street. As presently proposed, the design vocabulary is too far removed from its context, however, to integrate successfully into the immediate area. Nevertheless the kind of thoughtfulness behind the concept represents urban design imagination of a high order, and the Commission hopes that funding will be sufficient to incorporate this feature into the final solution.

Not only would it enhance the building but it would add so much to the avenue itself.

The Commission will be most interested in following the developments of this project. The terraces, selection of plant species, (especially the street tree type,) and the design of the trellis structure will need to be studied in considerable detail.

The Commission would also like to stress the need for careful coordination of work as shared by the various professional consultants involved on the job, since it is our understanding there is some overlapping of responsibilities among the design firms. It is the Commission's feeling that the basic elements of the proposal as currently outlined should serve as the principal determinants of future design development.

Sincerely,



J. Carter Brown
Chairman

Mr. Paul Christolini
Assistant Regional Administrator
for Real Estate and Development
GSA - National Capital Region
7th & D Street, S.W.
Washington, D.C. 20407

THE COMMISSION OF FINE ARTS

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WASHINGTON, D.C. 20006

EXHIBIT D

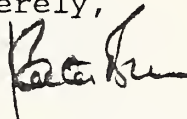
202-566-1066

6 March 1989

Dear Mr. Christolini:

Just a note to confirm the Commissions' approval at its 23 February 1989 meeting of further studies of the cornice treatment of Building 213 at the Southeast Federal Center. We feel the extra effort of the architects and your representatives was most worthwhile, and we wish to extend our appreciation to them for their good work.

Sincerely,



J. Carter Brown
Chairman

Mr. Paul Christolini
Assistant Regional Administrator
for Real Estate and Development
GSA - National Capital Region
7th & D Street, S.W.
Washington, D.C. 20407

THE COMMISSION OF FINE ARTS

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708 JACKSON PLACE, N.W.
WASHINGTON, D.C. 20006

EXHIBIT E

202-566-1066

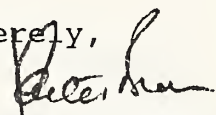
9 March 1989

Dear Mr. Chistolini:

During its meeting on 23 February 1989 the Commission of Fine Arts had the opportunity to review the proposal for the replacement of the screen over the mechanical units on the roof of the Central Heating Plant, at 12th and C streets, S.W.

There is essentially no change to the design and it was approved. The Commission, however, would appreciate the opportunity to see a sample of the material with the actual color that is proposed.

Sincerely,



J. Carter Brown
Chairman

Mr. Paul Chistolini
Assistant Regional Administrator
for Real Estate and Development
General Services Administration
National Capital Region
Washington, D.C. 20407

THE COMMISSION OF FINE ARTS

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708 JACKSON PLACE, N.W.
WASHINGTON, D.C. 20006

EXHIBIT F

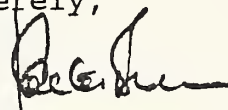
202-566-1066

6 March 1989

Dear Mr. Stanton:

During its meeting of 23 February, the Commission was pleased to review preliminary designs for the proposed Kahlil Gibran Memorial on Massachusetts Avenue opposite the Embassy of Great Britain. The architect, Mary Ann Lasch of HOK, presented a handsome design sympathetic both to the needs of Normanstone Parkway as well as the spirit of Gibran. The Commission understands that additional refinement will be forthcoming and looks forward to further review at that time.

Sincerely,



J. Carter Brown
Chairman

Mr. Robert Stanton
National Park Service
National Capital Region
Regional Director
1100 Ohio Drive, S.W.
Room 336
Washington, D.C. 20242

THE COMMISSION OF FINE ARTS

ESTABLISHED • BY • CONGRESS • MAY • 17, 1910

708 JACKSON PLACE, N.W.
WASHINGTON, D.C. 20006

EXHIBIT G

202-566-1066

9 March 1989

Dear Mary Anne:

During its meeting on 23 February 1989, the Commission of Fine Arts had the opportunity to review and approve the proposal to install a Sol Lewitt sculpture for one year on National Park Service property facing Virginia Avenue, N.W. between 20th and 21st streets, north of the William McChesney Martin Building of the Federal Reserve Board.

The Park Service has not expressed any objections to continuing the program of placing sculpture in the park, a position we are pleased to endorse.

Sincerely,


J. Carter Brown
Chairman

Ms. Mary Anne Goley
Director
Fine Arts Program
Board of Governors of the
Federal Reserve System
Washington, D.C. 20551

THE COMMISSION OF FINE ARTS

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708 JACKSON PLACE, N.W.
WASHINGTON, D.C. 20006

EXHIBIT H

202-566-1066

6 March 1989

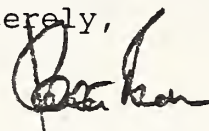
Dear Mr. Storey:

The Commission of Fine Arts had further discussions with architect Davis Buckley on the preliminary designs for the Law Enforcement Heroes Memorial at its meeting on 23 February 1989.

The problem continues to be the resolution of the two elevator housings which are, as you know, fairly central elements to the Judiciary Square space and create a very strong diagonal axis across the middle of the site. The current thinking is to tie them together in an elliptical pergola or trellis structure that would form a new inner spatial element and thus more clearly define the focus of the memorial elements of the Square.

This is naturally still in a very exploratory mode, and is more of a design idea than it is a solution and needs testing between now and the next meeting. However, we are encouraged by its possibilities and look forward to seeing the architect's progress at our next meeting on Wednesday, 22 March 1989.

Sincerely,



J. Carter Brown
Chairman

Mr. Robert G.M. Storey
Chairman of the Mayor's Task Force
on Memorials on Public Land
1350 Pennsylvania Avenue, N.W.
Suite 208
Washington, D.C. 20004

AGENDA ITEM EXHIBIT

23 February 1989

O.G. 89-57	1677 Wisconsin Avenue, N.W. Paul S. Taber Antiques store	Installation of storefront windows - permit
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ACTION: The Commission recommends against issuance of permit for the proposed installation of storefront windows at the property at 1677 Wisconsin Avenue, N.W. The Commission once again notes the long history of renovation review on this structure in conjunction with the local community's strenuous efforts to secure its restoration to current appearance. The proposed alterations to the facade on Wisconsin Avenue alter the character of this structure and diminish the Georgetown Historic District.

S.L. 89-51	1299 Pennsylvania Avenue, N.W. Warner Theatre	Renovation & new construction - conceptual
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ACTION: No objection to the general concept for the renovation of the Warner Theatre on 13th and E Streets and the adjacent new construction. Also recommend additional study of the tower element proposed for the corner of 12th and E Streets. So as to further differentiate it from the tower element on the west corner. Request new submission as design develops.

THE COMMISSION OF FINE ARTS

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708 JACKSON PLACE, N.W.

WASHINGTON, D.C. 20006

202-566-1066

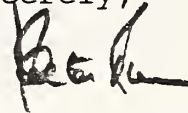
EXHIBIT J

6 March 1989

Dear Mr. Burrell:

During its meeting of 23 February, the Commission reviewed designs for the proposed security system of cast stone planters and hydraulic emergency bollards for the Justice Department Building between Constitution and Pennsylvania Avenues and 9th and 10th Streets. The Commission understands the necessity of these security measures and approves this particular proposal.

Sincerely,



J. Carter Brown
Chairman

Mr. Benjamin F. Burrell
Director
Facilities and Administrative Services Staff
Justice Management Division
U.S. Department of Justice
1425 K Street, N.W.
Suite 700
Washington, D.C. 20530

THE COMMISSION OF FINE ARTS

ESTABLISHED • BY • CONGRESS • MAY • 17, 1910

708 JACKSON PLACE, N.W.
WASHINGTON, D.C. 20006

EXHIBIT K

202-566-1066

6 March 1989

Dear Mr. McDaniel:

The Commission was interested to learn about the additional security barriers around the south perimeter of the White House at its meeting on 23 February 1989. It is a subject we take very seriously, not only because of the paramount importance of protecting the President, but also because of the deep concern we have for the historic and aesthetic dimensions of what is a very extraordinary piece of American landscape. While the north side of the White House is essentially an urban situation, the south side is right out of the tradition of English and Irish country manor houses and the great landscapes that were so much a part of them. One has only to stand on the White House south lawn facing the Potomac toward Mount Vernon to fully appreciate the impact and the uniqueness of this view.

It is in this spirit that the Commission fully supports any studies that are directed toward providing the means for necessary security while at the same time ensuring they are unobtrusive in this special vista. Unfortunately the bollard scheme employed on the north side of the White House would, in the Commission's opinion, very likely constitute such a disruptive element on the south side. Such a scheme may be tolerable as a temporary measure outside the view cone from the south lawn, but it certainly is not ideal. However, to place them directly across the vista should be avoided if at all possible.

Meeting the special security needs, and the requirements of providing the best possible circumstances for the many visitors to the White House (including parking under the Ellipse if need be), should be the subject of a major study at some point in the near future. Without such study, it is much more difficult to deal with the inevitable exigencies that will continue to emerge, and that

kind of approach to physical change at the White House and its grounds could in the long term lead to an erosion of its very special qualities.

Sincerely,

A handwritten signature in dark ink, appearing to read 'J. Carter Brown', with a long horizontal flourish extending to the right.

J. Carter Brown
Chairman

Mr. James I. McDaniel
National Park Service
National Capital Region
1100 Ohio Drive, S.W.
Room 344
Washington, D.C. 20242

MEETING:

22 March 1989

